

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: 212.589.4200
Facsimile: 212.589.4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Dean D. Hunt
Email: dhunt@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and for the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

EVELYN CERNIS IRREVOCABLE TRUST
AGREEMENT FOR SAMANTHA EYGES DTD
OCTOBER 6TH 1986; MARILYN CERNIS, in her
capacity as Trustee of the Evelyn Chernis Irrevocable
Trust Agreement for Samantha Eyges dtd October 6th

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04711 (SMB)

1986; RICHARD EYGES, in his capacity as Trustee of the Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th, 1986; DAVID M. DUCHESNEAU, in his capacity as Trustee of the Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th, 1986; and SAMANTHA C. EYGES,

Defendants.

**STIPULATION AND ORDER FOR EXTENSION OF TIME TO CONDUCT INITIAL
CASE CONFERENCE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and Defendants Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th 1986, Marilyn Chernis, in her capacity as Trustee of the Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th 1986, Richard Eyges, in his capacity as Trustee of the Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th 1986, David Duchesneau, in his capacity as Trustee of the Evelyn Chernis Irrevocable Trust Agreement for Samantha Eyges dtd October 6th 1986, and Samantha Eyges (collectively, the “Defendants” and together with the Trustee, the “Parties”) represent as follows:

WHEREAS, on November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “LPO”) [Adv. Pro. No. 08-01789 (SMB), Dkt. 3141];

WHEREAS, the Trustee commenced this action (the “Adversary Proceeding”) by filing a complaint (the “Complaint”) on December 1, 2010 [Dkt. 1];

WHEREAS, Defendants filed an answer to the Complaint on July 18, 2014 [Dkt. 33];

WHEREAS, pursuant to the Notice of Applicability filed by the Trustee in this Adversary Proceeding on December 1, 2010 [Dkt. 2], the LPO and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter;

WHEREAS, under the Avoidance Procedures, “the parties shall meet, either in person or by teleconference, and confer on a mediation, discovery and litigation plan (the ‘Initial Case Conference’)” within 30 days after the last defendant files an answer to the Complaint (the “Initial Case Conference Period”);

WHEREAS, all Defendants have filed an answer to the Complaint on July 18, 2014 [Dkt. 33];

WHEREAS, the Trustee and Defendants have agreed to extend the Initial Case Conference Period in this Adversary Proceeding, which will otherwise end on July 17, 2015; and

WHEREAS, nothing in this Stipulation is a waiver of the Defendants’ right to request from the Court (and the Trustee’s right to object to any such request), or the parties’ rights to agree to, a further extension the Initial Case Conference Period.

NOW, THEREFORE, the Parties stipulate and agree to, and the Court **ORDERS**, that the Initial Case Conference Period is hereby extended to August 17, 2015, without prejudice to such further extensions as the Parties may request or this Court may approve.

New York, New York
July 16, 2015

BAKER & HOSTETLER LLP

By: /s/ Nicholas J. Cremona
45 Rockefeller Plaza
New York, New York 10111
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com
Dean D. Hunt
Email: dhunt@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Estate of Bernard L. Madoff*

DUANE MORRIS LLP

By: /s/ Michael R. Lastowski
1540 Broadway
New York, New York 10036
Michael R. Lastowski
Email: mlastowski@duanemorris.com
Patricia Heer Piskorski
Email: phheer@duanemorris.com
Attorneys for Defendants

SO ORDERED ON July 17th, 2015:

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
United States Bankruptcy Judge